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UNCLAS SECTION 01 OF 03 USOSCE 000173

SENSITIVE

SIPDIS

STATE FOR VCI/CCA, EUR/RPM, EUR/PRA

JCS FOR J-5

OSD FOR ISA (KEHL, WALLENDER)

NSC FOR NILSSON

E.O. 12958: N/A

TAGS: PARM PREL KCFE OSCE

SUBJECT: OPEN SKIES TREATY: JANUARY-JULY 2009 END OF ROUND;
LAYING GROUNDWORK FOR REVCON UNDER U.S. CHAIR

REF: STATE 4932

11. (SBU) Summary: The winter/spring session of the Open Skies Consultative Commission (OSCC) saw initial preparation for the second Review Conference, incremental progress on the draft decision for digital sensors, agreement on a consolidated Cost decision, and discussion of airspace restrictions in the Moscow area. OSCC business continues to be positive and collaborative. The OSCC adopted four Decisions and one Chairman's Statement. All U.S. goals (reftel) were met or exceeded.

12. (SBU) Key issues for the fall include development of the agenda for the Review Conference, the annual distribution of active quotas, and achieving progress on the digital sensor decision. The OSCC plenary fall schedule has meetings on September 14, October 19, November 23, and December 14. USDel strongly recommends that a sensor working group meeting be scheduled in early October in order to advance progress on this important issue (paras 6 and 7.) End Summary.

Second Review Conference Set for June 2010

13. (SBU) In the spring, USDel worked with the Treaty depositaries (Hungary and Canada) to begin preparation of the Treaty-mandated second Review Conference (RC). The depositaries announced is would be held in 2010 under the U.S. Chairmanship (per alphabetical selection). In July, the OSCC adopted a Decision to hold the RC on June 7-9, 2010 (OSCC.DEC/4/09). USDel also provided a draft Decision to the OSCC on the Rules of Procedure for the RC for adoption in September.

14. (SBU) With these functional modalities well underway, USDel held a broad series of consultations on preparation of the agenda of the RC, including goals and objectives for RC desired outcomes. Allies and Russia alike welcomed these initial food for thought discussions, and agreed that the RC should be future-oriented. Russia requested that the U.S. convene an Informal Working Group on RC Planning. USDel urged Russia to work with us on finding solutions that will allow adoption of the digital sensor decision prior to the

RC.

Progress on Sensor Decision Slow

15. (SBU) In February, the OSCC agreed on a Chairman's Statement that allows procurement and testing of equipment to move forward (OSCC.DEL/19/08/Rev 1). The OSCC also agreed to extend the work of the IWGS in 2009 (OSCC.DEC/1/09). The technical parameters in the Statement will be included in the final version of the draft Revision One to Decision 14 (digital video). However, the Informal Working Group on Sensors (IWGS) meetings in March, chaired by the U.S. (Scott Simmons), sought without success to further hammer out rules that would govern, in accordance with Treaty provisions, the use of digital cameras during Open Skies Observer missions. Although Russian experts were engaged seriously, progress remains frustratingly slow due to the complexity of the discussions.

16. (SBU) Comment: USDel was struck how in informal consultations that all delegations understood the growing urgency of the sensors issue so all can go digital. Given the high cost of Open Skies implementation, if the product remains awkward wet film imagery, delegations are concerned this will cause even more cost-benefit questions to arise. At some point, this could imperil the sustainability of the Treaty with budget-minded ministries and politicians. The Russian delegation seemed sensitive to this point, too. Despite several years of highly-technical IWGS work without an agreement, delegates remain patient, but agreed that

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adopting the digital sensor decision prior to the RC is a top priority. End comment.

17. (SBU) Delegations are awaiting another IWGS meeting or workshop to analyze digital data so the outstanding issues remaining can be resolved. USDel strongly recommends that an IWGS evm+1`E0bAeduled in earl`aVber in order to advance progress on this important issue.

Other OSCC Activity:

18. (SBU) In addition,

--The OSCC agreed on a consolidated Decision on the Distribution of Costs (OSCC.DEC/2/09). This document incorporates all previously agreed decisions dealing with a variety of implementation expenses. With adoption of this Decision, the active agenda of the Informal Working Group on Rules and Procedures (IWGRP) was complete. The Russian Chair of the IWGRP announced that the working group would not meet unless new proposals were brought forward;

--The OSCC adopted a revision to the annual distribution of quotas to take account of the fact that Latvia could not conduct two (out of three) of its planned missions. Both were shared with other partners, and the decision removes Latvia from the sharing arrangement. (OSCC.DEC/3/09);

--In January and July, USDel raised our ongoing concerns with Russia continuing to impose altitude restrictions over the Moscow airspace zone (OSCC.RP/3/09 and OSCC.JOUR/156, Annex 2);

--Norway announced that it will use a P3 aircraft in the future, and requested progress on the sensor decision so it can procure digital sensors next year. In doing so, Norway will be dropping its future participation in the group that shares C-130 aircraft with a POD of sensors;

--The OSCC agreed to hold the annual quota distribution for

2010 on October 8-9 (OSCC. INF/8/09);

--Lithuania complained about Russia's unauthorized seizure of its film copy upon exit from Moscow. Russia agreed it was a mistake by customs authorities, returned the film promptly to Lithuania, and promised this would not happen again;

--USDel held a meeting with members of the Western European Union (WEU) to discuss the 1995 agreement allowing additional observation flights. USDel confirmed that the WEU members are willing to continue implementing the arrangement with Russia, which allows them to conduct additional flights after all the Treaty quota flights have been conducted.

Fall Session Issues

¶9. (SBU) There are three main areas of focus for the upcoming Open Skies session which convenes on September 14, under Bulgarian chairmanship:

- a) OSCC adoption of the Rules of Procedure for the RC, and further work in preparing its agenda;
- b) progress on the digital sensor decision; and
- c) participation in the annual active quota distribution and deconfliction meetings (October 8-9).

Other plenary meetings will take place on October 19, November 23, and December 14.

¶10. (U) For more details on OSCC plenaries over the past six

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months, here follows a list of post reporting on the January-July Round: USOSCE 0014; USOSCE 0045; USOSCE 0060; USOSCE 0105; USOSCE 0093; USOSCE 0129; USOSCE 0140; and, USOSCE 0168.

Scott